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AUTHOR Dias, Jose Augusto; Lynch, Patrick D.
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ABSTRACT

Both Brazil's and the United States's educational policies are influenced by centralization of administration and formal objectives mandated by law. Arising from a long division in Brazilian life between government and people, public schools have been seen to be the concern of the government, which has preserved the antiquated division of secondary education into academic and vocational. Laws mandating reforms in public education have often done little to align public need with educational offerings, thus perpetuating the government's largely pro forma acknowledgment of educational needs. In the United States, too, educational policy has become increasingly centralized since World War II. The centralization, in the United States as in Brazil, has inevitably been accompanied by legal formalism, which divorces educational policy from actual local compliance. (JW)

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The Cultural Context of Educational Policy: Brazil and the United States

Jose Augusto Dias - Ph.D.,

Universidade de Sao Paolo

Patrick D. Lynch, Ph.D.,

The Pennsylvania State University

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The Cultural Context of Educational Policy:

Brazil and the United States

Brazilian Culture

Brasil has a vast territory[1] and a population of around 130 million inhabitants. The language (Portuguese) and the main religion (Roman Catholic) were inherited from the Portuguese colonizers that established themselves in the land early in the 16th Century.

It is impossible to understand Brazilian culture without reference to the origin of the country as a colony of Portugal. The first three centuries of its existence, during which the land was politically subject to the government of Portugal, left profound marks that are still present in the way of life of the population.

One of these marks is centralization. Except for a short period, during which an attempt was made to establish regional governments, an attempt that did not prosper, the administration of the whole country was trusted to a general governor apointed by the king of Portugal. Thus, for the population in general the government was seen as a distant entity, taking decisions far away on the other side of the ocean. This distance between the government and the people somehow persists as a Brazilian culture trait and could perhaps explain the distance that is felt between the public school and the community it serves. The public school is seen as something that belongs to the government, be it federal, state or municipal, and the control of what happens inside it is a matter of concern to the government, not to the people. As a matter of fact, the trend to centralization pervades all areas of the political and administrative life of the nation. Until rather recently, educational laws in Brazil established models and patterns to be followed by all secondary schools throughout the country. Even now there are minimum requirements that have to be obeyed, despite the trend to decentralization of the last two decades.

Formalism is another trait of Brazilian culture that is apparent in educational laws and in the educational system.[2] Many times the law establishes objectives that cannot be attained, or the declared objectives do not correspond to the real results desired; there is an exaggerated value attached to formal symbols like diplomas and certificates that do not always guarantee the competency implied.

Centralization and formalism are cultural traits that throughout Brazilian history have powerfully influenced educational policies.

Brazilian Education

For many centuries Brazilian education was much more a matter of political discourse than of effective administrative measures for the creation and maintenance of schools. When the country became independent of Portugal, in 1822, very few schools existed. The constitution imposed by the emperor, in 1824, established that gratuitous elementary education should be provided for all citizens. This was only another instance of formalism, for no effective action toward the aim of creating new schools followed. An amendment of the constitution, in 1834, passed to the provinces the responsibility for the maintenance and control of elementary education. The central government kept to itself the control of secondary and higher education.

When the republican form of government was proclaimed, in 1889, elementary schools were still very scarce and insufficient for the needs of the population.[3] Education was not considered essential and was a privilege of a small group of persons. Even so, by 1920, it was not without some surprise that the country received the revelation of the census: illiteracy amounted to around 75 percent of the population.[4]

Since then the cry for more and more schools became audible,[5] and slowly, but steadily, enrollments began to grow. Since the end of the Second World War, the rate of growth of enrollments in schools was higher than the demographic rate.[6] However,

even today there are still several millions of children of elementary school age that cannot find places in the elementary schools.[7]

Because the elementary school is a concern of the state, the training of teachers for this level of education became also a state issue. So, the regulation and maintenance of normal schools for the training of elementary teachers began to appear, since the end of last century, as a state endeavor.

Secondary education evolved from the preparatory courses for candidates to higher education and later incorporated also the aim of general education. In Brazilian terminology the expression "secondary education" (ensino secundario) was reserved to mean the academic branch of the education situated between the elementary and the university levels, that was called "intermediate education" (ensino medio) and included other branches, such as industrial education and commercial education.

"Secondary" (academic) education and vocational education, although belonging to the same level of intermediate education, had different origins and were designed for different social groups. "Secondary" education was designed for children of the privileged classes and received much more attention from educational authorities. On the other hand, vocational education was an alternative offered to the poorer strata of the population, as terminal courses appropriate for the training of manpower.

Brazil, through the influence of Portugal, inherited the European orientation for education, "wherein", as expressed by Tyler,

> a small elite got an education of an academic sort so that they had an understanding of the wide world, while most of the people were trained for particular jobs. Most were not expected to understand the governing of society, which was done by the ruling class.[8]

In the 1940's, a series of laws defined the status and the organization of the various branches of intermediate education: secondary, commercial, industrial, agricultural and normal. The privileges attributed to the "secondary" branch were

clearly expressed in the "organic law of secondary education", that appeared in 1942.[9] The other branches of intermediate education were considered terminal, leading directly to occupations, while only the students that received a secondary education certificate were entitled to the continuation of studies in higher education.

The "organic law of secondary education" was issued during the dictatorship of Vargas (1937-1945) and was extremely shaped by the principle of centralization, establishing a model of secondary school that had to be followed by all schools throughout the country. A ministerial regulation, based on the law, set uniform standards for all secondary schools as to curriculum, programs, criteria for evaluation and so on.[10]

But the dictatorship of Vargas could not survive the movement of democratization that followed the end of the Second World War. From then on a series of measures tried to abolish the "dualism" of intermediate education, that is, the existence of, as the saying was current, "secondary education for 'our' children and vocational education for the 'other's."

During about 15 years the Congress discussed a new law for education in Brasil.[11] In the beginning, the discussion focused on the issue: centralization or decentralization. The minister of education of President Vargas, still defended centralization, while many others were of the opposite view. The well-known educator, Anisio Teixeira, inspired by the American school system that he knew well, advocated the "municipalization" of education, for he believed in the advantages of education being entrusted to the local communities.[12]

The "law of directives and bases of national education" was finally approved in 1961.[13] In this law, the following points should be stressed:

1. There was some progress toward decentraliation. Municipalization of education remained a distant dream. but at least the states received some

power for decisions on educational matters. State boards of education were created,[14] with competency to decide on such matters as curriculum, authorization for the functioning of new schools and so on. Of course, the federal area did not delegate everything to the states, for a Federal Board of Education was also created to set a minimum of standards to be obeyed by schools throughout the country.

2. There was a reduction of the distance between "secondary" and vocational education. From then on, students that had completed any of the five traditional branches of intermediate education - secondary, industrial, commercial, agricultural or normal - were permitted to take examinations leading to university courses. Although all branches of intermediate education were formally declared equivalent by the law of 1961, the student that aspired to the continuation of studies in higher education had to pass an examination that was shaped by the standard of "secondary" education.

So, the "dualism" persisted. Secondary education remained by far the more prestigious branch of intermediate education, absorbing about three quarters of the enrollments.[15] Only the students that had not been successful in the fight for a place in a secondary school would resignedly accept vocational education. Needless to say, most of these students came from the socially less favored families. Now, to make things worse for these students, many of them had to pay education fees, for there were not many public schools offering vocational courses, the great majority of public schools being of the "secondary" type.

During the 60's, despite the law of 1961, the criticism against the "dualism" of intermediate education continued to grow. On the other hand, there were not enough places in college and universities to accommodate all applicants coming from secondary education.

In 1968, a reform of higher education tried to solve this problem by changing the character of the entrance examination: instead of an ability test it was made a classificatory examination, based upon prior achievement.[16]

Of course, this was not enough. The pressure for more educational opportunities in higher education increased every year, as more and more students that had completed secondary education came to the university doors. In the more prestigious courses - medicine, engineering - there were 40, 50 or even more applicants for each place offered.

This problem raised the following concern: what happens to the students that do not succeed in the entrance examinations? Most of them have received an academic (secondary) education, and so they are not prepared to enter to the labor market. This reasoning suggested that it would have been better for the students that did not succeed in getting a place in the university to have received training for an occupation.

The climate was created for the new law of education, that was approved in 1971.[17]

A school of first degree of eight years was created to cover the education that formerly corresponded to primary education (4 years) and the first cycle of intermediate education (four years); and a school of second degree replaced what was formerly the second cycle of intermediate education (three or four years).

The great novelty of the school of second degree was that it was to offer vocational courses. All students, including those that were preparing for university studies, had to take a vocational course in the school of second degree. This "solution" presumably served two objectives: (1) suppressing (ending) the dualism of

intermediate education, by suppressing the academic branch; and (2) prepared those students that filed in the examinations for higher education to enter the labor market in occupations that required secondary level education.

This was only another display of formalism, for the following aspects were ignored:

1. Vocational education is more expensive than academic education. Furthermore, there was no forecast of the financial consequences of transforming all secondary schools into vocational schools.
2. Most of the teachers in secondary schools taught academic disciplines. On the other hand, these teachers had to be trained in higher education institutions and these institutions were not equipped to train teachers for vocational disciplines. Where to find teachers for the second degree schools?
3. The great majority of students preferred to follow secondary (academic) courses, as a form of preparation for the examinations leading to higher education. These students were not interested in vocational schools.

As a consequence, the law simply could not be obeyed at once. As a matter of fact, it did not have to be. One of the precepts of the law stated that it should be implemented gradually, according to the possibilities of each region of the country.

As the time passed, it became more and more evident that universal vocational education could never be implemented.

At last, in 1982, a new law reformed the law of 1971, permitting academic secondary schools to be created again.[18] This means that the dualism in intermediate education is still a reality in Brasil and has survived all the efforts towards its extinction.

In conclusion, it is clear that centralization and formalism, that are characteristic of Brazilian culture, permeate the educational policies.

As a corollary of centralization, local communities have little concern about public schools, that are seen as the responsibility of the government. But government itself is something very distant, something apart from the day-to-day life of the common citizen. As lately the government has been giving priority to the solution of economical problems, the school system has suffered greatly from the consequences of this policy.

As a consequence of formalism in education, there is no congruence between declared objectives and real objectives of the decisions taken. For instance, the law of 1971 was justified in the part that created the second degree education as a form of providing human resources for a labor market that was avid for secondary level manpower. However, the need of the labor market was never demonstrated. In reality, what was being sought was a solution for the excessive demand for higher education.

The Brazilian school system has been developing enormously during the last decades and it would be unjust to deny the services that it has rendered to the population. However, due to so many insufficiencies and deficiencies at all levels of education, much has to be done before it can be considered capable of responding adequately to its social mission.

United States

Centralization and formalism are also marks of American educational systems. They are also policy issues which have grown to compel attention since 1960.

The American educational systems could scarcely be called state systems until well into the 1920's, in most states. Well organized state departments of education

were rare until third decade of the 20th century when most states began to elaborate curriculum requirements and to enforce attendance requirements. High school growth in the 1920's was accompanied by the growing strength of professional educational organizations. However, the power to educate, reserved to the states by the constitution, was delegated to school districts in many particulars.

With the near collapse of the American economy between 1929 and 1931, states had to relieve districts which were incapable of supporting schools with property taxes. State education authorities gathered strength in the 1930's with the imposition of state sales taxes to support education. State agencies were empowered to distribute sales tax receipts on the basis of rationalized formulas.

State education agencies did not become powerful until well into the 1950's. Consolidation of districts, increased state financial aid to education, and concern with high school curricular reform, especially after 1957, were issues which required states to accumulate more regulatory powers. A massive power shift to state departments of education came with the enactment of the Elementary and Secondary Education Act of 1964. State education agencies became large, intrusive, and far more powerful, once that act was implemented.

The federal education power grew with the implementation of NDEA, especially so with ESEA. Court decisions concerning the handicapped, bilingual education, sex discrimination, and student rights brought in their wake federal legislation, all of which established a powerful and pervasive federal presence in education which has not diminished. The present administration's determination to weaken federal power in education has in fact been turned around by the Department of Education into a powerful force for emphasizing basic education for skills. This new era under Secretary Bell proves that a federal agency doesn't need new funds or new legislation or regulations to create new centralized power. A central agency has the means to

enlist selected influentials and research findings, to use media to mobilize public opinion and thereby influence state and local units to create educational policy desired by the federal agency. The response to the federal government's press for "quality" defined as basic cognitive skills proves that the federal government needs only the determination of a skilled administrator to organize 50 states and thousands of districts to play the same tune.

Courts, legislative bodies and state and federal executives have combined to move power from districts to state and federal agencies, no matter what party has been in control. The rhetoric accompanying the transfer of powers to centralized education agencies inevitably is to the effect that decision-making is best left in the hands of local school boards. Typical are the words of the United States Supreme Court in a case in which it made boards of education liable for damages as a result of their decisions (Wood v. Strickland, 420 U. S. 308, 327 (1975)).[19] When governors of states claim to be strengthening local school boards to "improve quality" or "raise standards" they are more likely to recommend changes to legislatures which will further centralize education decision-making.

Centralization of education is a phenomenon in the United States which appeared much later than in other nations. Brazil is more typical case in that centralization was present at the beginnings of the state-supported educational system. Most countries with centralized education authority have had to come to grips with decentralization since 1960 as their enrollments, expenditures and programs in the educational systems increased greatly. The expansion required more complex administrative machinery which could no longer be housed in a ministry building in a capital city. While the extent and effects of decentralization on decision-making at lower levels of educational systems have yet to be studied across nations, it is safe to say that while attempts at decentralization are to be found in many countries, the

residual effects of delegation of authority and decision-making vary greatly across countries and over time within countries. Decentralization cannot be accomplished quickly and easily. Centralization is too robust a phenomenon to change without creating many strains and counter-pressures in the educational system which wishes to create decision-making strength at lower levels of the system. Decreeing decentralization is in itself an example of formalism. Without determination, patience, commitment of extensive resources for training, and a long term trust in the value of subsidiarity, efforts at decentralization will simply mask new modes of centralization.

The principle of subsidiarity holds that higher levels of authority should not exercise power which can be exercised at lower levels of the organization. It is a principle which encourages the greatest possible delegation of authority to sources closest to those who wil be affected by decisions.

Centralization of educational power is inevitably accompanied by formalism. The most obvious flaw in a centralized system is a lack of distributive authority. Those who exercise authority in a centralized educational authority without delegating large amounts of that authority to administrators closer to communities quite simply lack the means or knowledge to secure compliance with official educational policy. The means to secure compliance are missing because the administrative machinery of a large educational system depends upon people in lower levels to carry out policy. Carrying out policy at lower levels requires adaptation to cultures and conditions which differ greatly within a country. Local administrators must know and be adaptive to local conditions in order to convince people and help people to obey national policy. In countries with large rural populations and many cultures, the means of applying educational policy at a local level must vary according to the area's

economic, linguistic, familial, religious and traditional law structures. Adaptation of policy to the locality requires ingenuity, patience and knowledge of the local conditions.

A second difficulty in implementing national policy in a centralized system is the lack of knowledge necessary to securing compliance at local levels. In order to implement national attendance laws, feedback to the central authority must be reliable and swift. Centralized systems have structural difficulties in obtaining feedback which is reliable and swift enough to allow the core of the system to secure compliance in communities.

These structural difficulties include the technical difficulties of underdeveloped communication systems, especially those in remote rural areas. Centralized systems which pretended to administer compulsory educational policies in developing countries prior to the 1940's simply did not have the means to obtain reliable data. Securing reliable data in a developed country is in itself a formidable task. The error estimates in developed countries differ in rural and urban areas and vary according to types of populations, especially according to ethnic-racial and socio-economic groups. Error rates are apparently larger for minorities and the poor. The controversial aftermath of the 1980 U. S. census is evidence that the error rate in the large cities is large enough among poor minorities to cause many cities to challenge the reliability of the figures in the courts.

A third structural difficulty in securing reliable data on attendance in centralized sytems is that of honesty. An official policy of universal attendance requires the central authority to be at once the compliance agent and to be the center for statistics which reveal compliance. School officials who report actual data on attendance, dropout and those not in attendance may themselves be subject to

disciplinary action because the figures reported show a great deal of non-compliance with the law. Hence, it is possible that figures reported to higher levels may be inflated because of fear. In a decentralized system in which the power to exact compliance with attendance laws is delegated downward, there is less reason for a unit to invent figures, unless the local unit is rewarded financially for "ballooning" its figures. Negative feedback is essential, according to general systems theory, for change within the system. Yet negative feedback in highly centralized systems can be dangerous to the reporting unit. The centralized authority may well seem to be more satisfied with confected data showing a higher degree of compliance than lower figures which represent the reality of less widespread compliance.

A centralized authority cannot countenance variability in compliance which differs by region or locality, ethnic, cultural, or socio-economic group. The mystique of centralization is that all are equal, all cases are similar, one national policy fits all cases. Adaptation of policy cannot officially be recognized. Variability in tempo of compliance is defined as violation of policy. But unless national policy allows for variability in implementation it is doomed to failure. Massive non-compliance marked by data comforting to the central educational is not a rare phenomenon.

Implementation must take into account local conditions. Administrators who are charged with implementation are realists who look at national policy as something which will be pursued on a broken front rather than in a linear fashion. Implementation is the possible contrasted with the ideal of policy. Policy makers are idealists, almost poets, who do not understand or study implementation and who often dismiss implementation problems as those of bringing laggards along the path of enlightened policy.

In the United States the central, federal, and state education authorities and the powerful leaders of professional organizations of teacher unions see the local boards of

education as obstacles to progress. the benighted ones, the stubborn laggards who must eiher be ordered to co nply or be threatened with sanctions. Many of those enchanted with centralization have called for the elimination of school boards. National and state policies have in fact reduced their powers substantially since 1960.

The multitude of policy initiatives in education beginning with desegregation, followed by other equity issues, individual rights issues enforced by courts, acco·ntability issues pushed by executive and legislative groups, negotiations, alternatives in education, and values issues, to name a few, have created for the school a situation in which policies are in conflict. Administrators and teachers attend to policy on a crisis basis. Many policies are simpy in abeyance. One is the parents' right to examine the students' records.[20] Few parents know of the policy, and school authorities have no time to inform parents of their rights under this law. Too many other federal and state policies demand the attention of school personnel.

Henkin and Helms refer to a "crowded policy space", (p. 145).[21] They state that policy is a exponential, not a linear function. One result is that in planning for a future in which complex policies must be accommodated is a problem, in organizations, since the literature demonstrates that only one policy may be maximized at a time. The policy which arrives first commands more attention and resources from an organization. If policies cannot be made interactive and supportive, their mutual effects will be difficult to control or predict. Some will probably lie dormant for years. Certainly attention spans for policy in individuals and organizations are finite. Those spans have been stretched beyond realizability in the American educational systems.

Many policies now are paper declarations, impossible of realization. But which ones can be realized where and at what time is difficult to discern or predict. Enactment of policies without regard to concern for the possibility of compliance is an

exhibition of formalism. The formalism is due to an increasing centralization of policy making, remote from the people and units which have to execute the policies, and remote from knowledge about the processes of implementation in a multi-cultural society.

Compliance with a multiplicity of policies places burdens on the enforcing agency and the target unit. A rational model of legislative or judicial intent followed by centralized bureaucratic response leading to local compliance is not one which can be sustained in the literature of evaluation, according to Seidman.[22] An evaluator playing a role as facilitator exerting low levels of pressure on the target unit is more effective in securing compliance than exerting a high level of pressure. However, the effectiveness consists not only of effort to comply on the part of the unit, but the judgment that at times that the mandated program is "inappropriate for a district, either because the program has other legitimate priorities or because the district fails to implement the program, and will terminate the programs" (p. 411). "Assistance and trust, rather than coercion and distrust, may be the most effective way to change the American educational system." The posture Seidman advocates recognizes the impossibility of compliance with all centrally-determined policies and delegates judgment to implement with the district which works with an agent of a higher educational authority. Thereby the agency recognizes the complexity and uniqueness of local conditions affecting implementation, as well as the difficulties incumbent on a district attempting to sort through unrelated or conflicting policies. That recommended posture is one of recognition of formalism, tempered by the ideal of pluralism, rather than one of mono-culturism.

Notes

1 "(Brasil) is somewhat larger than the United States, excluding Alaska, is nearly three times the size of Argentina, and 65 times the size of England" (Enc. Britannica).

2 Cf. Benno Sander, EDUCACAO BRASILEIRA: VALORES FORMAIS E VALORES REAIS, Sao Paulo, Editora Pioneira, 1977; also Benno Sander, David Kline and Russell Davis, FORMALISMO EDUCATIONAL EN LOS PAISES EN DESAPROLLO - EL CASO BRASILENO, Washington, DC, O. E. A., 1974.

3 In 1889, Brazilian population was around 14 million inhabitants. There were about 7,500 elementary schools, with an enrollment of around 300,000 students.

4 In 1920, the census announced a population of 30,635,605 inhabitants, of which 23,142,248 (that is, 75.5 percent) were considered illiterate.

5 A "manifesto" was issued by the leading educators of the time (Manifesto dos Pioneiros da Educacao Nova, 1932), advocating that the creation of more and better schools was an obligation of the government.

6 From 1940 until 1980, the situation may be shown by the following figures, taken from a publication by a Federal agency of statistics:

YEAR	POPULATION	INDICES	ENROLLMENTS IN ELEM. & SEC. ED.	INDICES
1940	41,236,315	100	3,622,833	100
1950	51,944,397	126	5,839,040	161
1960	70,181,370	170	8,635,429	238
1970	93,139,037	226	16,898,102	467
1980	119,070,865	289	24,964,433	689

From: ANUARIO ESTATISTICO DO BRASIL - Fundacao IBGE

7 According to the same agency, in 1980, there were in Brasil almost ten million persons between 7 and 14 years of age that had no schooling or less than one year of schooling that is:

AGE	NO SCHOOLING OR LESS THAN ONE YEAR OF SCHOOLING
From 7 to 9	5,779,115
From 10 to 14	3,462,605

From: ANUARIO ESTATISTICO DO BRASIL - Fundacao IBGE

8 "Some Thoughts on the Improvement of American Public Education - An Interview with Ralph W. Tyler" - EDUCATIONAL TECHNOLOGY, Vol. XXIII, N. 8, August 1983, p. 7.

9 Decreto-lei n. 4244; April 9, 1942.

10 Portaria Ministerial n. 501; May 19, 1952.

11 From 1946 to 1961.

12 Cf. Anisio Teixeira, MUNICIPALIZACAO DO ENSINO PRIMARIO (Municipalization of Primary Education - paper presented at the National Conference of Municipalities, 1957).

13 Lei Federal n. 4.024; December 20, 1961 - known as the "Law of Directives and Bases of National Education."

14 In Portuguese "Conselhos Estaduais de Educacao." A "Conselho" is not equivalent to an American "Board of Education," being normative rather administrative in nature.

15 For instance, in 1966, the distribution of enrollments by branches of intermediate education was the following:

BRANCH	ENROLLMENT	PERCENT
Secondary	1,805,247	72.7
Commercial	306,308	12.3
Industrial	91,621	3.7
Agricultural	14,410	0.6
Normal	265,626	10.7

16 Lei Federal n. 5.540; November 28, 1968.

17 Lei Federal n. 5.692; December 20, 1971.

18 Lei Federal n. 7.044; October 18, 1982.

19 See the dissenting opinions in these cases, all of which warn of the consequences to follow from those decisions which weakened the powers of the school boards. Justice Black's dissent in Tinker v. Des Moines Independent Community School District (393 U. S. 503, 515, 1969); Justice Powell's dissent in Goss v. Lopez (419 U. S. 565, 584, 1975); and Justice Powell's dissent in Wood v. Stickland (420 U. S. 308, 327, 1975).

20 The Family Educational Rights and Privacy Act of 1974. Referred to commonly as the "Buckley Amendment," Section 438, A Compilation of Federal Education Laws. As amended through June 30, 1977. Prepared for the House Committee on Education and Labor and the Senate Committee on Human Resources, June 1977.

21 Henkin, A. B. and Helms, L. B. (1982). "Constraints of the Educational Policy Environment: Implications for Futures Planning." Planning and Changing, Volume 13, no. 3, pp. 141-147.

22 Seidman, W. H. (1985). "Goal Ambiguity and Organizational Decoupling: The Failure of 'Rational Systems' Program Implementation." Educational Evaluation and Policy Analysis, Volume 5, no. 4, pp. 399-413.